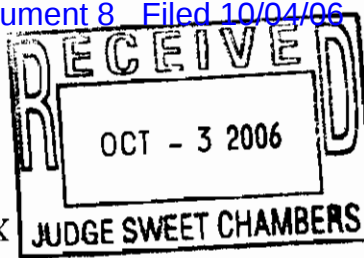


Sweet, J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



SEPHORA USA, INC.,

06 CIV. 4121 (RWS)

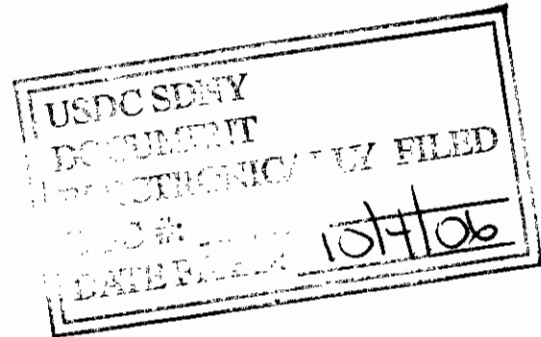
Plaintiff,

**STIPULATION AND ORDER
DISCONTINUING ACTION**

vs.

GILBERT EXPRESS, INC., GILBERT
LOGISTICS, TARGET INTERMODAL
SYSTEMS, INC. and OANH NGOC
NGUYEN d/b/a T & T TRANSPORT,

Defendants.



-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for SEPHORA USA, INC., GILBERT EXPRESS, INC., GILBERT LOGISTICS and TARGET INTERMODAL SYSTEMS, INC., that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued with prejudice but without costs to any party as against the other. This stipulation of discontinuance includes any potential cross-claims by or against GILBERT EXPRESS, INC., GILBERT LOGISTICS or TARGET INTERMODAL SYSTEMS, INC. or counterclaims against plaintiff.

Defendant OANH NGOC NGUYEN d/b/a T & T Transport has not appeared and the action is discontinued against him without prejudice only.



McDERMOTT & RADZIK, LLP.

JAMES J. RUDDY (JR-6693)

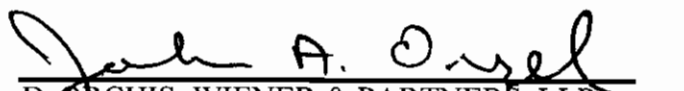
Attorneys for Plaintiff

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DeORCHIS, WIENER & PARTNERS, LLP.

JOHN A ORZEL (JO-2420)

Attorneys for Defendants

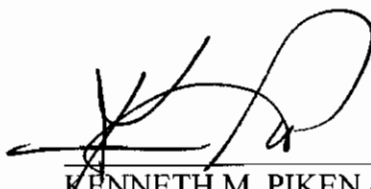
GILBERT EXPRESS, INC. and

GILBERT LOGISTICS

61 Broadway 26th Floor

New York, New York 10006

212-344-4700



KENNETH M. PIKEN & ASSOCIATES

KENNETH M. PIKEN (KP-8221)

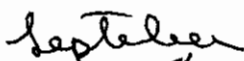
Attorneys for Defendant

TARGET INTERMODAL SYSTEMS, INC.

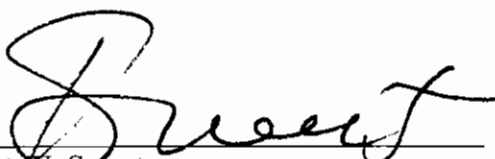
333 Jericho Turnpike Suite 218

Jericho, New York 11753

516-938-2300

Dated:  , 2006

SO ORDERED:



Robert M. Sweet
U.S.D.J.

10-3-06 r